

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA,	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO.
	§	
\$41,500.00 IN U.S. CURRENCY,	§	
Defendant.	§	

VERIFIED COMPLAINT FOR FORFEITURE IN REM

United States of America, Plaintiff, files this action for forfeiture against \$41,500.00 in United States currency.

*Nature of the Action*

1. This civil action in rem is being brought to enforce the civil forfeiture statute of 31 U.S.C. §5317(c)(2) which provides for the civil forfeiture of any property involved in a violation of 31 U.S.C. § 5316. Under 31 U.S.C.A. § 5316(a)(1)(A), it is a crime for a person not to report that they are about to transport more than \$10,000 in United States currency out of the United States. The United States currency involved in a violation of 31 U.S.C. §5316 is subject to civil forfeiture under 31 U.S.C. §5317(c)(2).

*Jurisdiction and Venue*

2. This Court has jurisdiction pursuant to 28 U.S.C. §1355 because this is an

action for forfeiture under 31 U.S.C. §5317(c)(2), an Act of Congress.

3. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1355 and 1395 (a) and (b) because the acts or omissions giving rise to the forfeiture occurred in the Southern District of Texas, the property was found and is located in the Southern District of Texas, and this forfeiture action accrued in the Southern District of Texas.

*Defendant in Rem*

4. Defendant in rem is \$41,500.00 in United States currency that was seized at the George Bush Intercontinental Airport in Houston, Texas, from Gustavo Blacio on May 12, 2007.

Facts

5. On May 12, 2007, at the George Bush Intercontinental Airport, Houston, Texas, Gustavo Blacio was boarding Continental Airlines flight #810 to Guayaquil, Ecuador. While Mr. Blacio was in the jet way waiting to board this flight, a United States Customs and Border Protection Officer, (Customs Officer), asked Gustavo Blacio whether he was transporting more than \$10,000 in cash. Mr. Blacio said that he was carrying only \$5,000.00, and he indicated in writing on a Monetary Report, Customs Form 503-B Spanish version, that he was only

carrying \$5,000.00.

6. Mr. Blacio was given an additional inspection. During this inspection, a Customs Officer found that Mr. Blacio was carrying more than \$41,500.00 in U.S. currency. A Customs Officer found the money in Mr. Blacio's wallet and in envelopes in his luggage and on his person.

7. Mr. Blacio stated that he knew from reading the Customs Declaration form that he had to declare any amount over \$10,000.00. Customs Officers seized \$41,500.00 and returned the remainder to Mr. Blacio.

*Relief Requested*

8. The \$41,500.00 in U. S. currency was involved in a violation of 31 U.S.C. §5316 and is subject to civil forfeiture under 31 U.S.C. §5317(c)(2).

9. Therefore, Plaintiff requests:

- A. Arrest Warrants and summons, citing all persons having an interest in the defendant property to appear on the return day of process by filing a claim and answer pursuant to Rule G(5), Supplemental Rules for Certain Admiralty and Maritime Claims, or as ordered by this Court,
- B. A judgment of forfeiture, and

C. Costs and other relief to which the Plaintiff may be entitled.

Respectfully submitted,

Donald J. DeGabrielle  
United States Attorney

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VERIFICATION

I, Gregory L. Tyler, Senior Special Agent, United States Immigration and Customs Enforcement, declare under penalty of perjury as provided by 28 U.S.C. §1746 that I have read this Verified Complaint for Forfeiture in Rem, and that the facts stated in the complaint are based upon my personal knowledge or from information obtained in the course of my investigation and are true and correct to the best of my knowledge and belief.

Executed on July 9, 2007.

  
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Gregory L. Tyler, Senior Special Agent,  
U. S. Immigration and Customs Enforcement